



# Daily Digest

**Federal Communications Commission**  
**445 12th St., SW**  
**Washington, D.C. 20554**

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**Vol. 21 No. 249**

**December 27, 2002**

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## THE FOLLOWING ITEMS ARE DATED AND RELEASED TODAY:

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### PUBLIC NOTICES

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Released: 12/27/2002. ENFORCEMENT BUREAU FIELD OFFICES LIST OF NOTICES OF APPARENT LIABILITY ISSUED. (DA No. 02-3583). EB [DA-02-3583A1.doc](#) [DA-02-3583A1.pdf](#) [DA-02-3583A1.txt](#)

Report No: SAT-00130 Released: 12/27/2002. POLICY BRANCH INFORMATION, SATELLITE SPACE APPLICATIONS ACCEPTED FOR FILING. IB. Contact: Satellite Division (202)418-0719; TTY(202) 418-2555 [DOC-229945A1.pdf](#) [DOC-229945A1.txt](#)

Report No: 45390 Released: 12/27/2002. BROADCAST ACTIONS. MB [DOC-229880A1.txt](#)

Report No: 25390 Released: 12/27/2002. BROADCAST APPLICATIONS. MB [DOC-229883A1.txt](#)

Report No: 0060 Released: 12/27/2002. SPECIAL RELIEF AND SHOW CAUSE PETITIONS. MB. Contact: Media Bureau (202) 418-7200 [DOC-229936A1.doc](#) [DOC-229936A1.pdf](#) [DOC-229936A1.txt](#)

Released: 12/27/2002. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT FILINGS ON (DECEMBER 17, 2002) ( 1 OF 2). OMD. Contact: Barbara P. Chappelle @ (202) 418-0310 [DOC-229930A1.doc](#) [DOC-229930A1.pdf](#) [DOC-229930A1.txt](#)

Released: 12/27/2002. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN PERMIT-BUT DISCLOSE PROCEEDINGS (DECEMBER 16 AND 18, 2002) (2 OF 2). OMD. Contact: Barbara J. Lowe (202) 418-0310 [DOC-229944A1.doc](#) [DOC-229944A1.pdf](#) [DOC-229944A1.txt](#)

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### TEXTS

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IN RE GABRIEL WIRELESS LLC. Notified Gabriel Wireless LLC of its apparent liability for a forfeiture in the amount of \$3,000 for failing to timely file it's two "long-form" applications.. Action by: Chief, Investigations and Hearings Division, Enforcement Bureau. Adopted: 12/26/2002 by NAL. (DA No. 02-3592). EB [DA-02-3592A1.doc](#) [DA-02-3592A1.pdf](#) [DA-02-3592A1.txt](#)

IN RE SELECTPATH HOLDING, INC.. Issued an NAL to SelectPath Holding, Inc. proposing a \$3,000 forfeiture based on its failure to timely file "long-form" applications following completion of Auction No. 40.

Action by: Chief, Investigations and Hearings Division, Enforcement Bureau. Adopted: 12/26/2002 by NAL. (DA No. 02-3594). EB [DA-02-3594A1.doc](#) [DA-02-3594A1.pdf](#) [DA-02-3594A1.txt](#)

IN RE GOLDEN ARROW PAGING, INC.. Issued an NAL to Golden Arrow Paging, Inc., proposing a \$3,000 forfeiture based on its failure to timely file "long-form" applications following completion of Auction No. 40. Action by: Chief, Investigations and Hearings Division, Enforcement Bureau. Adopted: 12/26/2002 by NAL. (DA No. 02-3593). EB [DA-02-3593A1.doc](#) [DA-02-3593A1.pdf](#) [DA-02-3593A1.txt](#)

IN RE CITY PAGE & CELLULAR SERVICES, INC. D/B/A CITY BEEPERS. Issued an NAL to City Page & Cellular Services, Inc. d/b/a City Beepers, proposing a \$3,000 forfeiture for its failure to timely file "long-form" applications and its ownership report following completion of Auction No. 40. Action by: Chief, Investigations and Hearings Division, Enforcement Bureau. Adopted: 12/26/2002 by NAL. (DA No. 02-3591). EB [DA-02-3591A1.doc](#) [DA-02-3591A1.pdf](#) [DA-02-3591A1.txt](#)

IN RE TELEPHONE & TWO-WAY, INC., APPLICANT FOR WIRELESS TELECOMMUNICATIONS BUREAU RADIO SERVICE AUTHORIZATION. Issued an NAL to Telephone & Two-Way, Inc., proposing a \$3,000 forfeiture based on its failure to timely file "long form" applications following completion of Auction No. 40. Action by: Chief, Investigations and Hearings Division, Enforcement Bureau. Adopted: 12/26/2002 by NAL. (DA No. 02-3595). EB [DA-02-3595A1.doc](#) [DA-02-3595A1.pdf](#) [DA-02-3595A1.txt](#)

IN RE UHF-DE, LLC, APPLICANT FOR WIRELESS TELECOMMUNICATIONS BUREAU RADIO SERVICE AUTHORIZATION. Issued an NAL to UHF-DE, LLC proposing a \$3,000 forfeiture based on its failure to timely file its "long-form" application and accompanying ownership report following completion of Auction No. 40. Action by: Chief, Investigations and Hearings Division, Enforcement Bureau. Adopted: 12/26/2002 by NAL. (DA No. 02-3596). EB [DA-02-3596A1.doc](#) [DA-02-3596A1.pdf](#) [DA-02-3596A1.txt](#)

IN RE WHARTON TELECOM HOLDINGS, INC., APPLICANT FOR WIRELESS TELECOMMUNICATIONS BUREAU RADIO SERVICE AUTHORIZATION. Issued an NAL to Wharton Telecom Holdings, Inc., proposing a \$3,000 forfeiture based on its failure to timely file its "long-form" application and accompanying ownership report following completion of Auction No. 40. Action by: Chief, Investigations and Hearings Division, Enforcement Bureau. Adopted: 12/26/2002 by NAL. (DA No. 02-3597). EB [DA-02-3597A1.doc](#) [DA-02-3597A1.pdf](#) [DA-02-3597A1.txt](#)

PARAGON COMMUNICATIONS, INC. D/B/A TIME WARNER CABLE. Granted petition for special relief seeking a determination that franchised cable system in Gardena, California is subject to effective competition.. Action by: Deputy Chief, Media Bureau. Adopted: 12/13/2002 by MO&O. (DA No. 02-3599). MB [DA-02-3599A1.doc](#) [DA-02-3599A1.pdf](#) [DA-02-3599A1.txt](#)

SECTION 63.71 APPLICATION TO DISCONTINUE CABLE & WIRELESS USA, INC. APPLICATION TO DISCONTINUE SERVICES. Granted the application of Cable & Wireless USA, Inc., to discontinue domestic voice telecommunications services on January 18, 2003. Action by: Chief, Wireline Competition Bureau. Adopted: 12/26/2002 by ORDER. (DA No. 02-3603). WCB [DA-02-3603A1.doc](#) [DA-02-3603A1.pdf](#) [DA-02-3603A1.txt](#)

FEDERAL-STATE JOINT BOARD ON UNIVERSAL SERVICE, NECA PROPOSED 2002 MODIFICATION OF AVERAGE SCHEDULE FORMULAS. Approved NECA's modified local switching support formula and, with respect to Part 36 high-cost support, adopted NECA's cost per loop formula and denied NECA's request for supplemental payments for certain average schedule companies.. (Dkt No. 96-45). Action by: Deputy Chief, Wireline Competition Bureau. Adopted: 12/26/2002 by ORDER. (DA No. 02-3587). WCB [DA-02-3587A1.doc](#) [DA-02-3587A1.pdf](#) [DA-02-3587A1.txt](#)

AMENDMENT OF SECTION 1.937 OF THE COMMISSION'S RULES CONCERNING REPETITIOUS OR CONFLICTING APPLICATIONS. Erratum to Notice of Proposed Rule Making released March 20, 2002, Doc. 02-57. Action by: Deputy Chief, Public Safety and Private Wireless Division by ERRATUM. (DA No. 02-3590). WTB [DOC-229905A1.doc](#) [DOC-229905A1.pdf](#) [DOC-229905A1.txt](#)

**ADDENDA: THE FOLLOWING ITEMS, RELEASED DECEMBER 26, 2002, DID NOT APPEAR IN  
DIGEST NO. 248:**

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**PUBLIC NOTICES**  
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Released: 12/26/2002. COMMENTS INVITED ON FOCAL COMMUNICATIONS CORPORATION,  
APPLICATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES. (DA No. 02-3600).  
WCB. Action by: John Adams (202) 418-0394 TTY (202) 418-0484 [DA-02-3600A1.doc](#) [DA-02-3600A1.pdf](#)  
[DA-02-3600A1.txt](#)

Report No: AUC-02-47-D Released: 12/26/2002. CLOSED AUCTION OF LICENSES FOR CELLULAR  
UNSERVED SERVICE AREAS CANCELLED. (DA No. 02-3602). WTB. Contact: Kenneth Burnley 202-418-  
0660 or Lisa Stover 717-338-2888 [DA-02-3602A1.doc](#) [DA-02-3602A1.pdf](#) [DA-02-3602A1.txt](#)

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**TEXTS**  
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LETTER TO MESSRS. KURTIS AND BLASK ON BEHALF OF MOUNTAIN SOLUTIONS, LTD.. Dismissed  
with prejudice the long-form applications filed by Mountain Solutions Ltd., Inc for grant of the two licenses for  
which Mountain Solutions was the higher bidder in Auction No. 10.. Action by: Auctions and Industry Analysis  
Division, Wireless Telecommunications Bureau by LETTER. (DA No. 02-3604). WTB [DA-02-3604A1.doc](#)  
[DA-02-3604A1.pdf](#) [DA-02-3604A1.txt](#)